

# Notice of Allowability

Application No.

10/804,831

Examiner

Rodney H. Bonck

Applicant(s)

AIDA, HIROSHI

Art Unit

3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received February 8, 2005.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 08 February 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☒ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

The following action is in response to the amendment received February 8, 2005.

***Allowable Subject Matter***

Claims 1-7 are allowed. Claims 1, 2, 4, 3, and 5-7 will be renumbered for printing as claims 1-7, respectively.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The arguments set forth on pages 10-13 of the response filed February 8, 2005 have been considered and are persuasive. It is agreed that the prior art of record fails to show or render obvious a method of assembling a pulley apparatus as defined in claim 1 including the steps of holding the rollers with the springs engaged in the pockets in the retainer and pressing the rollers, simultaneously compressing the springs while using the bevel to insert the outer diameter section over the rollers, and then mounting the second balls between the inner peripheral surface of the pulley and the outer peripheral surface of the shaft.

The art of record also fails to show or teach the method of assembling a pulley apparatus as defined in claim 3 including the steps of holding the rollers with the springs engaged in the pockets in the retainer and pressing the rollers, temporarily arranging a jig on the outer periphery of the rollers to press the rollers radially inward, mounting the outer diameter section around the assembly while pushing the rollers inward, and then

mounting the second ball bearing between the inner peripheral surface of the pulley and the outer peripheral surface of the shaft.

The prior art of record also fails to show or teach the pulley apparatus as defined in claim 5 including a means for preventing the rollers from falling off, a shaft having a plurality of step portions used to form a means to regulate displacement of the retainer, and at least one roller raceway formed with a bevel to simultaneously compress the springs. Recitation of the means for preventing the rollers from falling off is seen to invoke 35 USC 112, sixth paragraph, such that the claim is construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

The amendments to claims 2 and 6 overcome the previous rejection under 35 USC 112, second paragraph. Accordingly the rejection of claims 2 and 6 under 35 USC 112, second paragraph, is withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Receipt is acknowledged of the partial translation of Okuma(JP 2001-32911).

### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on September 12, 2002. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b). Note, too, that the filing date of the priority document probably should be September 17, 2001 (see applicant's amendment to the specification received March 16, 2004).

It is noted that applicant states that the certified copy "will be submitted under separate cover"; but as of this date, the certified copy is not in the file and apparently has not been received.

### ***Oath/Declaration***

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month and year of its filing. Specifically, the oath or declaration does not appear to correctly identify the filing date of the foreign application.

It is noted that applicant states that a new oath/declaration "will be submitted under separate cover"; but as of this date, the new oath/declaration is not in the file and apparently has not been received. Accordingly, the above requirement is repeated.

***Drawings***

The replacement sheets of drawings, labeling Figs. 1-6 as "Prior Art", were received on February 8, 2005. These drawings are acceptable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (703)-308-2904. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (703)-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

rhb  
March 11, 2005